

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

| | | |
|---|---|----------------------------------|
| DAVID KAGAN, |) | |
| Plaintiff, |) | |
| |) | AMENDED |
| v. |) | JUDGMENT |
| |) | (Corrected as to Caption) |
| |) | No. 5:06-CV-170-BR |
| S.C. MOSLEY, Individually and in his |) | |
| official capacity, |) | |
| CITY OF FAYETTEVILLE, North |) | |
| Carolina, a municipal corporation, |) | |
| EARL R. BUTLER, Sheriff of |) | |
| Cumberland County, in his official capacity, |) | |
| L.A. CHRISTIAN, individually and in her |) | |
| official capacity, |) | |
| WESTERN SURETY COMPANY, |) | |
| GREYHOUND LINES, INC., a wholly |) | |
| owned subsidiary of Laidlaw |) | |
| International, Inc., |) | |
| Defendants. |) | |

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED AND DECREED that the joint motion by Plaintiff, David Kagan and Defendants, Earl R. Butler, Sheriff of Cumberland County, in his Official Capacity, L.A. Christian, Individually and in her Official Capacity and Western Surety Company to dismiss these defendants is GRANTED, that the joint motion by Plaintiff, David Kagan and Defendant Greyhound Lines, Inc. To Dismiss this defendant is GRANTED, and that the defendants S.C Mosley and the City of Fayetteville's motion for summary judgment is GRANTED and this action is DISMISSED.

THIS AMENDED JUDGMENT FILED AND ENTERED ON FEBRUARY 11, 2008 and COPIES ELECTRONICALLY TO:

Dale S. Morrison

Richard A. Peniston

Joel M. Craig

Tiffanie W. Sneed

Grainger R. Barrett

Ronnie M. Mitchell

James Niels Jorgensen

FEBRUARY 11, 2008

/s/ DENNIS P. IAVARONE, Clerk